

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JESSIE PILLETTE,

Plaintiff,

v.

Case Number 06-10536-BC
Honorable Thomas L. Ludington

COUNTY OF OTSEGO, BRIAN WEBER,
NICKOLAS CAVANAUGH, HOLLY
FERGUSON, ELYSE MEYETTE, ERIC
HOFFMAN, AMY MOON and ANDREW
NOBLINSKI,

Defendant.

_____ /

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION, GRANTING DEFENDANTS'
MOTIONS FOR SUMMARY JUDGMENT OR TO DISMISS,
DENYING PLAINTIFF'S MOTION TO AMEND,
AND DISMISSING CASE**

This matter is before for the Court on a report issued by Magistrate Judge Charles E. Binder on February 27, 2007 recommending that the defendants' motions for summary judgment or to dismiss be granted, the plaintiff's motion to amend be denied, and the case be dismissed. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The plaintiff's failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dkt

58] is **ADOPTED**, the defendants' motions for summary judgment or to dismiss [dkt #s 37, 41, 57] are **GRANTED**, the plaintiff's motion to amend is **DENIED** [dkt # 51] and the case is **DISMISSED WITH PREJUDICE**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: March 20, 2007

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on March 20, 2007.

s/Tracy A. Jacobs
TRACY A. JACOBS